



Fact Sheet

Los Angeles Regional Water Quality Control Board

Frequently Asked Questions: Wastewater Consolidation Program

What is the Wastewater Consolidation Program?

The State Water Resources Control Board (State Water Board) and the Los Angeles Regional Water Quality Control Boards (Regional Water Boards) recognize that improperly sited, designed, operated, and/or maintained onsite sewage treatment systems (OSTSs) are a source of nitrate pollution to groundwater and are impacting groundwater supplies of the communities throughout the Ventura and Los Angeles Region.

In 2018, Governor Brown signed Senate Bill 1215 (SB 1215) into law, establishing funding and the regulatory framework for a statewide program to facilitate the consolidation of inadequate OSTs with publicly owned treatment works (POTWs). SB 1215 authorizes the Regional Water Boards to encourage, and if necessary, mandate the provision of sewer service to disadvantaged and severely disadvantaged communities (DACs/SDACs) with inadequate OSTs.

Who is eligible for the program?

The Wastewater Consolidation Program extends to all DACs/SDACs served by one or more inadequate OSTs. DACs are defined as communities with a median household income (MHI) less than 80% of the statewide MHI while SDACs are defined as communities with a MHI less than 60% of the statewide MHI.

Eligible communities with a population less than 20,000 people include, but are not limited to:

- Residences relying on aging individual septic systems
- Privately-owned communities such as mobile home parks
- Migrant housing centers
- California Native American Tribal Communities
- Educational facilities (schools)

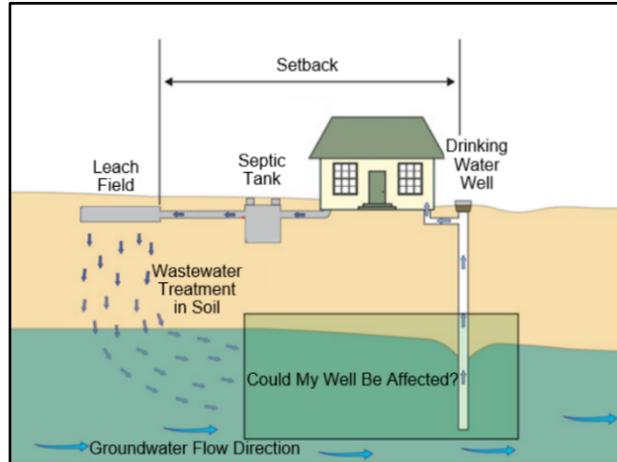
Receiving POTWs in partnership with DACs/SDACs are eligible for funding through the Wastewater Consolidation Program. Funds awarded can be used by public sewer service providers for various consolidation project costs including upgrades to their facilities to accommodate the additional flow and address compliance issues. Small communities that are not disadvantaged can also apply for funding through the Program, but at this time only low interest loans may be available.

What is an inadequate OSTs?

OSTs are individual or community wastewater collection, treatment, and dispersal systems that rely on subsurface disposal of domestic wastewater. Examples of OSTs include, but are not limited to, septic tanks, cesspools, leach fields, and seepage pits.

Inadequate, aging, or failing OSTs have been identified as sources of increased nitrate contamination in public and private drinking water supply wells throughout the state. Per California Water Code section 13288, onsite sewage treatment is considered inadequate if it has (1) the reasonable potential to cause a violation of water quality objectives, (2) impair present or future beneficial uses of water, (3) cause pollution, nuisance, or contamination of

waters of the state. Inadequate systems could be found in areas with high-density OSTs areas with domestic and community wells. Other indicators of inadequacy include non-ideal siting conditions such as steep slopes, shallow groundwater, and poor soils.



Adapted from the EPA Septic Systems and Drinking Water webpage (<https://www.epa.gov/septic/septic-systems-and-drinking-water>). Accessed January 2022.

What funding is available?

State Water Board’s Division of Financial Assistance (DFA) is responsible for administering the funding for wastewater consolidation projects under this program. Funding for this program comes in the form of grants allocated from the Clean Water State Revolving Fund (CWSRF), specifically the Small Community Grant Fund, which is available for eligible septic to sewer projects. The maximum grant funding for an individual consolidation project is up to \$125,000 per sewer connection. For treatment system improvements, the maximum grant is up to \$45,000 per sewer connection. This total funding grant calculated from the number of connections will cover the costs of technical assistance, planning/design, and construction. If grants cannot cover the full cost of the project, low-interest loans are also available.

Technical Assistance (TA)	Planning/Design	Construction
<ul style="list-style-type: none"> • 100% of costs for DACs and SDACs • Funds for TA deducted from total grant determined by construction application • Work performed by pre-contracted organizations with DFA • <u>Examples</u>: income surveys, public outreach, legal assistance, application assistance 	<ul style="list-style-type: none"> • 100% of costs for DACs and SDACs • Funds for planning/design deducted from total grant determined by construction application • <u>Examples</u>: capacity study, feasibility study, engineering analysis, environmental study 	<ul style="list-style-type: none"> • 100% of costs for DACs and SDACs • \$125,000 per connection funding cap for septic-to-sewer. • \$45,000 per connection funding cap for treatment system improvements. • At DFA’s discretion, these funding caps can be increased and a maximum funding cap above the per connection limit can be set.

Current funding allocations found within the [CWSRF’s Intended Use Plan](#) Appendices D & E (March 2022).

Who is an eligible applicant?

Eligible applicants include: (1) Public agencies having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or a (2) Native American tribe or an authorized Native American tribal organization, or (3) a designated and approved management agency under Section 1288 of title 33 of the United States Code. Important to note is that the DFA cannot contract with private entities. Therefore, local receiving public sewer service providers or agencies

will likely serve as the applicant for septic to sewer consolidation projects. No matter who the applicant is, the DFA will look at the receiving sewer system's final information to verify that they can operate and maintain their system.

How does the applicant apply for the funding?

The applicant needs to submit the relevant application(s) using the DFA's online Financial Assistance Application Submittal Tool (FAAST), which is available from the FAAST webpage (<https://faast.waterboards.ca.gov/>). Upon approval by the DFA, the grant applicant will be designated as the Responsible Party for contracting all project tasks. To ensure all the application requirements are met, a lien will be placed on the Responsible Party until the project is completed. It is important to note that the DFA cannot contract with private entities. Therefore, local receiving sewer service providers or agencies will likely serve as the Responsible Party for wastewater consolidation projects.

DFA manages funding through a phased Financial Assistance Application process. For the purposes of this program, the applicant can opt for three categories of funding disbursement through three separate applications: (1) Technical Assistance, (2) Planning/Design, and (3) Construction. If communities do not have a representative that can help with the application process, the DFA can provide technical assistance grants. Eligible activities for technical assistance grants include engineering and environmental analysis, legal assistance, income surveys, etc. Eligible activities for planning/design grants include feasibility studies, engineering design, rate studies, etc. Eligible activities for construction grants include decommissioning septic tanks, installing new or connecting to existing sewer lines, obtaining permits, etc. If desired by the applicant, it is possible for the DFA to contract planning/design activities with a technical assistance provider to accommodate for lacking administrative capacity of the sewer service provider to conduct planning/design activities. This approach eliminates the need for a sewer service provider to prepare a planning/design application and administer planning/design activities. Once the technical assistance provider has completed the planning/design of the project, the sewer service provider can then submit the construction funding application.

Applicants are encouraged to contact DFA as early in the process as possible at DFA-OSWS@waterboards.ca.gov. Application materials are available here:

https://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/srf_forms.html

The DFA continuously accepts applications. Additional information regarding the application process is available here:

https://www.waterboards.ca.gov/water_issues/programs/grants_loans/sustainable_water_solutions/scfp.html

If project planning/design phase is further along, an agency can submit a Financial Assistance Application for Construction. Within that one application, the applicant may request funding for construction, as well as other project allowances (administrative costs, construction management, land acquisition, permits, etc.).

How to begin the wastewater consolidation process?

Applicants can initiate the process by contacting the Regional Water Board's Wastewater Consolidation Program staff. The Regional Water Board staff will work with DFA-preapproved Technical Assistance Providers (TAPs) in conjunction with sewer service provider near the DACs/SDACs and other stake holders for project scoping and cost estimating and then submit an application for planning/design and construction for the wastewater consolidation project to DFA. Simultaneously, the designated applicant (typically the receiving public sewer service provider) will apply for funding using the FAAST tool. Upon receipt of the application, DFA will assign a project manager to review the application materials, including the scope of work and budget. The project manager will work with the applicant to facilitate approval and ensure completion of project requirements. Regional Water Board staff will be available to advocate for the project throughout the process.

If a consensus cannot be reached, Regional Water Board staff will issue an order to the receiving sewer system, requiring them to provide sewer service to the identified disadvantaged community. The receiving sewer system will still be eligible to apply for grant funding through the DFA to defray costs associated with the provision of sewer service ordered by the Regional Water Board. Once a FAAST application is submitted, the process will continue as described in the previous paragraph.

What is the scope of the Regional Water Board’s enforcement authority?

Water Code Section 13289 provides the Regional Water Board with discretionary enforcement authority to coordinate with local public sewer service providers for the expansion of sewer service to the DACs/SDACs. State Water Board funding is available to the communities and sewer service providers to offset the costs associated with the wastewater consolidation. Wherever possible, Regional Water Board staff will encourage voluntary consolidation as the most cost-effective approach to providing sewer service to DACs/SDACs. However, in situations where sewer service providers are unwilling to voluntarily extend sewer services, Water Code section 13289 authorizes the Regional Water Board to mandate the extension of sewer service to DACs/SDACs that are at or within a 3-mile radius of a public or municipal sewage receiving system. “*Time Schedule Orders*” or “*Cease and Desist Orders*” are examples of enforcement mechanisms that Regional Water Board can use to require publicly owned treatment works to provide sewer service to DACs/SDACs. Section 13289 also outlines steps that the Regional Water Board must complete before issuing an order, including a publicly noticed meeting where parties can give testimony. The Regional Water Board’s enforcement authority is limited to projects involving DACs/SDACs that are at or within a three-mile radius of a public or municipal receiving system.

Wastewater Consolidation Program Contacts

The Wastewater Consolidation Program currently has three designated staff located in the Los Angeles (LA) Regional Water Quality Control Board office. For those community members who prefer to converse and ask questions in Spanish, please contact Michael or Patrick. Program staff contact information is provided below:

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